

DATE

La'Keisha Ealy  
11024 Major Oak Drive  
Baton Rouge, Louisiana 70815

Re: **Louisiana Board of Ethics**  
**Docket No. 2021-248**

Dear Ms. Ealy,

The Louisiana Board of Ethics, at its meeting on June 4, 2021, considered your request for an advisory opinion as to whether the Code of Governmental Ethics ("Code") would prohibit you from operating a driver's education school in East Baton Rouge Parish.

#### **FACTS PROVIDED**

You are currently employed by the La. Department of Children and Family Services ("DCFS") as an Analyst in the Arrears Collection Unit. You primarily handle cases where the minor children have been emancipated. You work to locate non-custodial parents so that the case can be transferred to a DCFS Enforcement Officer for further collections actions.

You have submitted an application to the La. Department of Public Safety to operate a driver's education school in East Baton Rouge Parish. You stated that you do not perform any duties related to driver's education in your employment with DCFS.

#### **LAW**

La. R.S. 42:1111C(1)(a) prohibits a public servant from receiving anything of economic value for any service the subject matter of which is devoted substantially to the responsibilities, programs, or operations of the agency of the public servant and in which the public servant has participated.

La. R.S. 42:1111C(2)(d) provides that no public servant shall receive any thing of economic value for services rendered to a person if that person: (1) has a contractual, business, or financial relationship with the public servant's agency; (2) conducts operations which are regulated by the public employee's agency; or (3) has substantial economic interests which may be substantially affected by the performance or nonperformance of the public employee's official duty.

## CONCLUSION

The Board concluded, and instructed me to inform you, that the Code will not prohibit you from operating a driver's education school since driver's education is not substantially related to the programs and responsibilities of your agency, the DCFS Arrears Collection Unit.

The Board cautioned that Section 1111C(2)(d) will prohibit you from providing compensated services to any of the following persons: (1) a person with a contractual, business, or financial relationship with the Arrears Collection Unit; (2) a person whose conduct is regulated by the Arrears Collection Unit; and (3) a person who has substantial economic interests which can be affected by your duties as an employee of DCFS. Should a potential conflict of interest arise regarding a specific person, the Board suggests that you seek an additional advisory opinion.

Additionally, the Board cautioned that La. R.S. 42:1112A will prohibit you from participating in any transaction involving DCFS in which you may have a substantial economic interest. Also, La. R.S. 42:1116A prohibits you from using the authority of your employment with DCFS to compel or coerce any person to provide you or your business anything of economic value.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Governmental Ethics. Please note that the Board issues no opinion as to past conduct and that the Board's expressed opinion is limited to an examination of the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Acts, and the conflict of interest provisions in the gaming laws.

If you have any questions, please contact me at (800)842-6630 or (225)219-5600.

Sincerely,

**LOUISIANA BOARD OF ETHICS**

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David M. Bordelon  
For the Board